

SCHEDULES

SCHEDULE 1

Regulations 3, 5 and 19 and Schedule 2

Requirement for an environmental impact assessment where the definition of “project” applies

1. Extraction of oil and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes per day in the case of oil and 500,000 cubic metres per day in the case of natural gas.
2. Installations for storage of oil with a capacity of 200,000 tonnes or more.
3. Activities captured by section 17(2)(a) or (b) of the Energy Act 2008 (activities related to the geological storage of carbon dioxide).
4. Installations for the capture of carbon dioxide streams for the purposes of geological storage of carbon dioxide where—
 - (a) the carbon dioxide is captured from an installation forming part of a project that falls under paragraph 1; or
 - (b) the total yearly capture of carbon dioxide is 1.5 megatonnes or more.
5. Pipelines with a diameter of more than 800 mm and a length of more than 40 km for the transport of oil, combustible gas or chemicals.
6. Pipelines with a diameter of more than 800 mm and a length of more than 40 km for the transport of carbon dioxide streams for the purposes of geological storage of carbon dioxide.
7. A change to a project that falls under this Schedule where such a change in itself meets the thresholds, if any, listed in this Schedule.

SCHEDULE 2

Regulations 3, 5 and 19

Requirement for a screening direction where the definition of “project” applies

- 1.—(1) Subject to sub-paragraph (2), drilling a well or borehole for the purpose of—
 - (a) exploring for oil or natural gas, establishing the existence of oil or natural gas, appraising the quantity, characteristics, or quality of oil or natural gas, or getting oil or natural gas; or
 - (b) activities within section 2(3) or section 17(2) of the Energy Act 2008 (activities related to unloading or storage of combustible gas or the geological storage of carbon dioxide).
- (2) Sub-paragraph (1) does not include—
 - (a) a well or borehole drilled to a depth of 350 metres or less below the surface of the seabed for the purpose of obtaining geological information about strata; or
 - (b) a drilling operation where the main purpose is the testing of the stability of the seabed.
2. Surface installations for the extraction of oil or natural gas.
3. Extraction of oil or natural gas for commercial purposes where the amount extracted is equal to or less than 500 tonnes per day in the case of oil and equal to or less than 500,000 cubic metres per day in the case of natural gas.

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4. Installations for storage of oil with a capacity of less than 200,000 tonnes.
5. Activities captured by section 2(3)(a) to (d) of the Energy Act 2008 (activities related to the unloading or storage of combustible gas).
6. Installations for the capture of carbon dioxide streams for the purposes of geological storage of carbon dioxide where—
 - (a) the carbon dioxide is captured from an installation forming part of a project under paragraph (3); and
 - (b) the total yearly capture of carbon dioxide is less than 1.5 megatonnes.
7. Pipelines that are—
 - (a) for the transport of oil, combustible gas, or chemicals, or for the transport of carbon dioxide streams for the purposes of geological storage of carbon dioxide; and
 - (b) do not fall under paragraphs 5 or 6 of Schedule 1 or Schedule 3.
8. A change to a project that falls under Schedule 1, except a change to which paragraph 7 of Schedule 1 applies.
9. A change to a project that falls under this Schedule.

SCHEDULE 3

Regulations 3, 5, 7 and 19 and Schedule 2

Secretary of State to decide if an environmental impact assessment is required, without a screening direction application where the definition of “project” applies

The construction of a pipeline for the transport of oil, combustible gas, or chemicals, or for the transport of carbon dioxide streams for the purposes of geological storage of carbon dioxide, or the maintenance, repair, replacement, protection or extension of an existing pipeline constructed for those purposes where no part of the pipeline or related works would extend more than 500 metres from a well or any part of an installation to which that pipeline would be directly or indirectly attached.

SCHEDULE 4

Regulation 6

Information required in an application for a screening direction

1. The name and address of the developer.
2. A description of the project, including—
 - (a) the physical characteristics of the project, and of any demolition works necessary to implement the project;
 - (b) the location of the project, with particular regard to the environmental sensitivity of the geographical areas likely to be affected by the project;
 - (c) the aspects of the environment likely to be significantly affected by the project;
 - (d) any likely significant effects of the project on the environment, to the extent of the information available on such effects, resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant;
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity.

3. The description of the project must take into account—
 - (a) the matters listed in Schedule 5 (matters to be taken into account in deciding whether a project is likely to have a significant effect on the environment);
 - (b) where relevant, the results of other assessments of the effects on the environment carried out pursuant to retained EU law other than any law that implemented the EIA Directive.

SCHEDULE 5

Regulations 6 and 7 and Schedule 4

Matters to be taken into account in deciding whether a project is likely to have a significant effect on the environment

Characteristics of the project

1. The characteristics of the project having regard, in particular, to—
 - (a) the size and design of the project;
 - (b) cumulation with other existing or approved projects;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of major accidents or disasters, including those caused by climate change, in accordance with scientific knowledge;
 - (g) the risks to human health (for example, due to water contamination or air pollution).

Location of the project

2. The environmental sensitivity of geographical areas likely to be affected by the project, with particular regard to—
 - (a) the existing and approved land use;
 - (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
 - (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) areas classified or protected under national legislation, or Natura 2000 as defined in regulation 3(1) of the Conservation of Habitats and Species Regulations 2017⁽¹⁾;
 - (vi) areas in which there has been a failure to meet the environmental quality standards laid down in retained EU law, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

(1) S.I. 2017/1012. Amended by S.I. 2019/579. There are other amendments which are not relevant.

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Type and characteristics of the potential impact

3. The likely significant effects of the project on the environment in relation to the matters listed under paragraphs 1 and 2—

- (a) having regard to the impact of the project on—
 - (i) population and human health;
 - (ii) biodiversity, with particular attention to species and habitats protected under any law of any part of the United Kingdom that implemented [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora⁽²⁾ and [Directive 2009/147/EC](#)⁽³⁾ on the conservation of wild birds;
 - (iii) land, soil, water, air and climate;
 - (iv) material assets, cultural heritage and the landscape;
 - (v) the interaction between the factors referred to in paragraphs (i) to (iv); and
- (b) taking into account—
 - (i) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
 - (ii) the nature of the impact;
 - (iii) any impact on the environment in other countries;
 - (iv) the intensity and complexity of the impact;
 - (v) the probability of the impact;
 - (vi) the expected onset, duration, frequency and reversibility of the impact;
 - (vii) the cumulation of the impact with the impact of other existing or approved projects;
 - (viii) the possibility of effectively reducing the impact.

SCHEDULE 6

Regulation 8

Information for the environmental statement

1. A description of the project comprising information on the site, design, size and other relevant features of the project including—

- (a) a description of the location of the project;
- (b) a description of the physical characteristics of the project, including any demolition works necessary to implement the project, and the land-use requirements during the construction and operational phases;
- (c) a description of the main characteristics of the operational phase of the project, in particular any production process, which must cover energy demand and energy used, and nature and quantity of the materials and natural resources used (including water, land, soil and biodiversity);
- (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat and radiation) and quantities and types of waste produced during the construction and operation phases.

(2) O.J. L 206, 22.7.1992, p. 7. The Directive was amended by [Directive 97/62/EC](#), O.J. L 305, 8.11.1997, p. 42; [Regulation \(EC\) No 1882/2003](#), O.J. L 284, 31.10.2003, p. 1; [Directive 2006/105/EC](#), O.J. L 363, 20.12.2006, p. 368; and [Directive 2013/17/EU](#), O.J. L 158, 10.6.2013, p. 193.

(3) O.J. L 20, 26.1.2010, p. 7. The Directive was amended by [Directive 2013/17/EU](#), O.J. L 158, 10.6.2013, p. 193 and [Regulation \(EU\) 2019/1010](#), O.J. L 170, 25.6.2019, p.115.

2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment and including a comparison of environmental effects.

3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of its likely evolution without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

4. An assessment of the likely significant effects of the project on the environment, including those resulting from—

- (a) the construction and existence of the project, including any demolition works necessary to implement the project;
- (b) the use of natural resources, in particular land, soil, water and biodiversity, considering the sustainable availability of these resources;
- (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
- (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
- (e) the cumulation of effects with other existing or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
- (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
- (g) the technologies and the substances used.

5. The assessment under paragraph 4 must—

- (a) cover the likely significant effects on—
 - (i) population and human health;
 - (ii) biodiversity, with particular attention to species and habitats protected under any law of any part of the United Kingdom that implemented Council [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora and [Directive 2009/147/EC](#) on the conservation of wild birds;
 - (iii) land, soil, water, air and climate;
 - (iv) material assets, cultural heritage and the landscape;
 - (v) the interaction between the factors referred to in paragraphs (i) to (iv);
- (b) cover the direct effects and any indirect, secondary, cumulative, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project, including any effects on the environment in other countries;
- (c) cover the expected effects deriving from the vulnerability of the project to risks of major accidents or disasters;
- (d) take into account environmental protection objectives established in retained EU law or at national level.

6. A description of the features of the project or measures envisaged in order to avoid, prevent, reduce or offset likely significant adverse effects on the environment that—

- (a) explains the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset;

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- (b) covers both the construction and operational phases;
 - (c) includes any proposed monitoring arrangements (for example the preparation of a post-project analysis);
 - (d) describes measures envisaged to prevent or mitigate the significant adverse effects of major accidents or disasters on the environment and details of the preparedness for and proposed response to such emergencies.
7. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
8. A non-technical summary of the information provided under paragraphs 1 to 7.
9. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.

SCHEDULE 7

Regulation 28

Consequential Amendments

Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001

1. In regulation 4(3)(b) of the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001(4), after “Regulations 1999” insert “or the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020”.

Offshore Chemicals Regulations 2002

- 2.—(1) The Offshore Chemicals Regulations 2002(5) are amended as follows.
- (2) In regulation 2, omit the definition of “relevant project”.
 - (3) In regulation 7(2), for paragraph (a) substitute—
 - “(a) in connection with a project for which the Secretary of State serves a direction that an environmental impact assessment is not required pursuant to regulation 6 of the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 or regulation 6 of the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999;”.

Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005

3. In regulation 5A(5) of the Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005(6), for paragraph (a) substitute—

- “(a) in connection with a project for which the Secretary of State serves a direction that an environmental impact assessment is not required pursuant to regulation 6 of the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 or regulation 6 of the

(4) [S.I. 2001/1754](#). Amended by [S.I. 2007/77](#). There are other amendments which are not relevant.

(5) [S.I. 2002/1355](#). Amended by [S.I. 2016/912](#). There are other amendments which are not relevant.

(6) [S.I. 2005/2055](#). Relevant amending instruments are [S.I. 2011/983](#) and [S.I. 2016/912](#).

Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999”.

Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010

4. In article 3(5) of the Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010(7), after “Regulations 1999”, insert “or the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020”.

Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013

5. In regulation 4(5) of the Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013(8), for “Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999”, substitute “Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020”.

Conservation of Offshore Marine Habitats and Species Regulations 2017

6.—(1) The Conservation of Offshore Marine Habitats and Species Regulations 2017(9) are amended as follows.

(2) In regulation 2, in the definition of “Petroleum or Energy Act consent”, after “Regulations 1999” insert “or the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020”.

(3) In regulation 28(7), after “Secretary of State”, insert “or the agreement to the grant”.

(7) S.I. 2010/1513. Relevant amending instruments are S.I. 2016/912 and S.I. 2017/582.

(8) S.I. 2013/971. Amended by S.I. 2018/798. There are other amendments which are not relevant.

(9) S.I. 2017/1013. Amended by S.I. 2019/579. There are other amendments which are not relevant.